

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 11-28 are presently active; Claims 1-10 having been previously canceled without prejudice. Claims 14 and 15 have been amended to be rewritten in independent form.

In the outstanding Office Action, Claim 11 was objected to. Claims 11-13 and 16-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe et al (Jap. Doc. No. 10188332 A) in view of Wada et al (U.S. Pat. No. 6,480,454), hereinafter the Wada patent. Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe et al and the Wada patent and further in view of Tokunaga et al (U.S. Pat. No. 5,905,558). Claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe et al and the Wada patent and further in view of Slobodin (U.S. Pat. No. 5,084,777) or Jacobson et al (U.S. Pat. No. 4,127,322). Claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe et al and the Wada patent and Tokunaga et al and further in view of Hayashi (Jap. Doc. No. H08-074033 A). Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanabe et al and the Wada patent and in further view of Slobodin or Jacobson et al or Hayashi. Claims 14-15 were objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Firstly, Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 14-15. Accordingly, these claims have been amended to be rewritten in independent form.

Secondly, Applicants acknowledge with appreciation the courtesy of Examiner Giessy and Primary Examiner Psitos to interview this case on October 19, 2005 during which time the issues in the outstanding Office Action were discussed as substantially summarized herebelow.

Next, regarding the objection to Claim 11, Claim 11 has been amended as suggested. Thus, it is respectfully submitted that the objection to Claim 11 has been overcome.

Regarding the rejection to Claim 11 as being unpatentable over Tanabe et al in view of the Wada et al patent, as discussed during the interview, the Wada patent should be removed as prior art given the submission herewith of a certified English translation of the priority application JP11/249285. The effective filing date of the Wada patent is December 13, 1999, that is later than the earliest priority date of the present application (i.e., September 2, 1999) associated with priority application JP11/249285. The English translation shows that the features of Claim 11 are described in the specification of JP11/249285. Thus, with Applicants' perfection of their priority claim, the Wada patent should be removed as prior art.

Hence, Claim 11 and the claims dependent therefrom are believed to patentably define over Tanabe et al.

With respect to independent Claim 12, the features of Claim 12 were discussed during the interview, particularly with regard to the claimed "plurality of power supply electrodes provided thereon at different positions, not less than two of the plural power supply electrodes being conductively connected together through a thin film resistor comprising a conductive thin film." Applicants' representative pointed out that electrode 13 in Figure 1 of the Wada patent is a single comb-shaped electrode for applying a voltage only to a liquid crystal (i.e., applying voltage only to a birefringent optical material), while the claimed plurality of power supply electrodes being conductively connected together through a thin film resistor, as shown in Applicants' Figures 7 and 8, can provide a differential voltage across the liquid crystal. There was no agreement reached with regard as to whether or not these features distinguished from the Wada et al patent.

During the interview, Primary Examiner Psitos pointed out Figure 3 of the Wada patent, which in his view showed resistances r_1 , r_2 , r_3 , and r_4 between different electrodes. Examiner

Giesy pointed out Wada et al (U.S. Pat. Appl. Publ. 2004/0264347), hereinafter the Wada application, as a reference of Wada showing the use of “thin film resistances on the optical element to voltage divide the signal applied from the outside” as disclosed in numbered paragraph [0088] therein.

To these points, Applicants respectfully submit that the “r1, r2, r3, and r4” shown in Figure 3 of the Wada patent are indicative of resistances that always exist in any conductive material, and are not equivalent to the claimed “thin film resistor” recited in Claim 12. Moreover, Applicants respectfully point out that the earliest U.S. filing date of the Wada application, i.e., July 23, 2001, does not antedate Applicants’ 371 date of August 30, 2000. Hence, the disclosure of “thin film resistances on the optical element to voltage divide the signal applied from the outside” in the Wada application is not prior art to the present invention.

With there being no disclosure or suggestion in the Wada patent for a plurality of power supply electrodes provided thereon at different positions, not less than two of the plural power supply electrodes being conductively connected together through *a thin film resistor* comprising a conductive thin film, Claim 12 and the claims dependent therefrom are believed to patentably define over Tanabe et al and the Wada patent.

Hence, with no remaining rejections to the independent claims, the claims of the present application are believed to be in a condition for allowance.

Finally, Applicants respectfully request that the documents cited in the International Search Report and received at the Patent and Trademark Office, as indicated on the Notice of Acceptance be considered as requested in the Request for Consideration of Documents Cited in the International Search Report filed May 2, 2001. These references were subsequently filed with the Information Disclosure Statement (IDS) of October 30, 2001, whose PTO-1449 form has not yet been initialed and returned. A copy of the date-stamped filing receipt and the IDS

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Reply to Office Action of August 22, 2005

of October 30, 2001 along with the submitted PTO-1449 form are attached hereto.

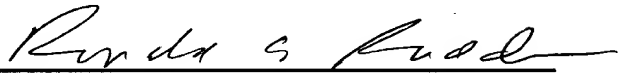
An early and favorable action on these matters is respectfully requested.

Respectfully submitted,

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Attachments:

Certified English Translation of JP 11/249285
Date-stamped Filing Receipt (copy)
Information Disclosure Statement of October 30, 2001
(w/ PTO 1449, International Search Report, and references) (copy)

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